



APR 19 2004

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/797,215
		Filing Date	February 9, 2004
		First Named Inventor	PHAN, LOC X.
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	018563-001550US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
		Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP James M. Heslin	Reg. No. 29,541
Signature		
Date	April 14, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

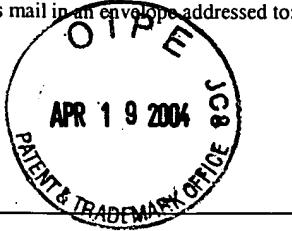
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Edward Masinas		
Signature		Date	April 15, 2004

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P.O. Box 1450  
Alexandria, VA 22313-1450

On 4-15-04



TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas  
Edward Masinas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

LOC X. PHAN et al.

Application No.: 10/797,215

Filed: February 9, 2004

For: EMBEDDED FEATURES AND  
METHODS OF A DENTAL  
APPLIANCE

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/409,409, filed April 7, 2003 (Attorney Docket No. 018563-001540US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

**PATENT**  
Attorney Docket No.: 018563-001550US  
Client Reference No.: AT-00047.4

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin  
Reg. No. 29,541

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60191898 v1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet	1	of	6	Attorney Docket Number	018563-001550US
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**Complete If Known**

Application Number	10/797,215
Filing Date	February 9, 2004
First Named Inventor	PHAN, LOC X.
Art Unit	Unassigned
Examiner Name	Unassigned

**U.S. PATENT DOCUMENTS+**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US 3,407,500	10/1968	Kesling	
	2	US 3,600,808	8/1971	Reeve	
	3	US 3,660,900	5/1972	Andrews	
	4	US 3,683,502	8/1972	Wallshein	
	5	US 3,860,803	1/1975	Levine	
	6	US 3,922,786	12/1975	Lavin	
	7	US 3,950,851	4/1976	Bergersen	
	8	US 4,150,485	4/1979	Lee, Jr. et al.	
	9	US 4,253,828	3/1981	Coles et al.	
	10	US 4,324,546	4/1982	Heitlinger et al.	
	11	US 4,324,547	4/1982	Arcan et al.	
	12	US 4,370,129	1/1983	Huge	
	13	US 4,500,294	2/1985	Lewis	
	14	US 4,504,225	3/1985	Yoshii	
	15	US 4,505,673	3/1985	Yoshii	
	16	US 4,526,540	7/1985	Dellinger	
	17	US 4,591,341	5/1986	Andrews	
	18	US 4,609,349	9/1986	Cain	
	19	US 4,664,626	5/1987	Kesling	
	20	US 4,676,747	6/1987	Kesling	
	21	US 4,755,139	7/1988	Abbatte et al.	
	22	US 4,793,803	12/1988	Martz	
	23	US 4,798,534	1/1989	Breads	
	24	US 4,836,778	6/1989	Baumrind et al.	
	25	US 4,837,732	6/1989	Brandestini et al.	
	26	US 4,850,865	7/1989	Napolitano	
	27	US 4,856,991	8/1989	Breads et al.	
	28	US 4,877,398	10/1989	Kesling	
	29	US 4,880,380	11/1989	Martz	
	30	US 4,936,862	6/1990	Walker et al.	
	31	US 4,941,826	7/1990	Loran et al.	
	32	US 4,983,334	1/1991	Adell	
	33	US 5,011,405	4/1991	Lemchen	
	34	US 5,017,133	5/1991	Miura	
	35	US 5,022,855	6/1991	Jeckel	
	36	US 5,035,613	5/1991	Breads et al.	
	37	US 5,055,039	10/1991	Abatte et al.	
	38	US 5,059,118	10/1991	Breads et al.	
	39	US 5,100,316	3/1992	Wildman	
	40	US 5,125,832	6/1992	Kesling	
	41	US 5,139,419	8/1992	Andreiko et al.	

Examiner Signature	Date Considered
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60191898 v1

<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(use as many sheets as necessary)</p>				<b>Complete If Known</b>	
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Sheet	2	of	6	Attorney Docket Number	018563-001550US

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	42	US 5,145,364	9/1992	Martz et al.	
	43	US 5,186,623	2/1993	Breads et al.	
	44	US 5,273,429	12/1993	Rekow et al.	
	45	US 5,338,198	8/1994	Wu et al.	
	46	US 5,340,309	8/1994	Robertson	
	47	US 5,342,202	8/1994	Deshayes	
	48	US 5,367,478	11/1994	Hattori	
	49	US 5,368,478	11/1994	Andreiko et al.	
	50	US 5,382,164	1/1995	Stern	
	51	US 5,395,238	3/1995	Andreiko et al.	
	52	US 5,431,562	7/1995	Andreiko et al.	
	53	US 5,447,432	9/1995	Andreiko et al.	
	54	US 5,452,219	9/1995	Dehoff et al.	
	55	US 5,454,717	10/1995	Andreiko et al.	
	56	US 5,456,600	10/1995	Andreiko et al.	
	57	US 5,474,448	12/1995	Andreiko et al.	
	58	US 5,516,812	05/1996	Chu et al.	
	59	US 5,528,735	6/1996	Strasnick et al.	
	60	US 5,533,895	7/1996	Andreiko et al.	
	61	US 5,536,168	7/1996	Bourke	
	62	US 5,536,169	7/1996	Yousefian	
	63	US 5,542,842	8/1996	Andreiko et al.	
	64	US 5,549,476	8/1996	Stern	
	65	US 5,587,912	12/1996	Anderson et al.	
	66	US 5,605,459	2/1997	Kuroda et al.	
	67	US 5,607,300	3/1997	Tepper	
	68	US 5,607,305	3/1997	Andersson et al.	
	69	US 5,645,420	7/1997	Bergersen	
	70	US 5,645,421	7/1997	Slootsky	
	71	US 5,683,243	11/1997	Andreiko et al.	
	72	US 5,683,244	11/1997	Truax	
	73	US 5,692,894	12/1997	Schwartz et al.	
	74	US 5,725,376	3/1998	Poirier	
	75	US 5,725,378	3/1998	Wang	
	76	US 5,800,174	9/1998	Andersson	
	77	US 5,866,058	2/1999	Batchelder et al.	
	78	US 5,879,158	3/1999	Doyle et al.	
	79	US 5,880,961	3/1999	Crump	
	80	US 5,951,291	9/1999	Albert et al.	
	81	US 5,957,686	9/1999	Anthony	
	82	US 5,964,587	10/1999	Sato	

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				Application Number	10/797,215
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Sheet	3	of	6	Attorney Docket Number	018563-001550US

U.S. PATENT DOCUMENTS+						
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		Number	Kind Code <sup>2</sup> (if known)			
	83	US 5,971,754		10/1999	Sondhi et al.	
	84	US 5,975,893		11/1999	Chishti	
	85	US 6,044,309		3/2000	Honda	
	86	US 6,049,743		4/2000	Baba	
	87	US 6,080,450		06/2000	Cantor	
	88	US 6,123,544		9/2000	Cleary	
	89	US 6,183,248		2/2001	Chishti et al.	
	90	US 6,190,165		2/2001	Andreiko et al.	
	91	US 6,217,334		4/2001	Hultgren	
	92	US 6,524,101		2/2003	Phan et al.	

FOREIGN PATENT DOCUMENTS						
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		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
	93	FR	2369828	6/1978		<input type="checkbox"/>
	94	DE	40202647-A	1/1992		<input type="checkbox"/>
	95	DE	19934117	7/1999		<input type="checkbox"/>
	96	PCT	WO 94/10935	5/1994		<input type="checkbox"/>
	97	PCT	WO 98/32394	7/1998		<input type="checkbox"/>
	98	PCT	WO 98/58596	12/1998		<input type="checkbox"/>
	99	PCT	WO 00/32132	6/2000		<input type="checkbox"/>

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Substitute for form 1449B/PTO				<b><i>Complete if Known</i></b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<i>Application Number</i>	10/797,215
(use as many sheets as necessary)				<i>Filing Date</i>	February 9, 2004
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				<i>Art Unit</i>	Unassigned
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Sheet	4	of	6	<i>Attorney Docket Number</i>	018563-001550US

<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	100	ANDREWS, "The Six Keys to Optimal Occlusion" <i>Straight Wire</i> , Ch. 3, pp. 13-24.		
	101	Biostar Operation & Training Manual, Great Lakes Orthodontics, Ltd. 199 Fire Tower Drive, Tonawanda, New York. 14150-5890, 20 pages total.		
	102	CHIAPPONE, "Constructing the gnathologic setup and positioner" <i>J. Clin. Orthod.</i> (1980) 14:121-133.		
	103	COTTINGHAM, "Gnathologic clear plastic positioner" <i>Am. J. Orthod.</i> (1969) 55:23-31.		
	104	CURETON, "Correcting malaligned mandibular incisors with removable retainers" <i>J. Clin. Orthod.</i> (1996) 30:390-395.		
	105	Dent-X posted at <a href="http://www.dent-x.com/DentSim.htm">http://www.dent-x.com/DentSim.htm</a> 09/24/98, 6 pages total.		
	106	DYMAX® "Guidelines for Curing" <a href="http://www.dymax.com/products/medical/medi-cur.asp">http://www.dymax.com/products/medical/medi-cur.asp</a> (retrieved from internet on 04/16/02) 2 pages total.		
	107	DYMAX® "Catheter Bonding with DYMAX Light Curing Adhesives" <a href="http://www.dymax.com/products/medical/catheter_assemblyr.asp">http://www.dymax.com/products/medical/catheter_assemblyr.asp</a> (retrieved from internet on 04/16/02) 3 pages total.		
	108	DYMAX® "UV Light Curing Systems" <a href="http://www.dymax.com/products/curing_equipment/curing_equipment.asp">http://www.dymax.com/products/curing_equipment/curing_equipment.asp</a> (retrieved from internet on 04/16/02) 3 pages total.		
	109	DYMAX® "High Speed Curing...in Seconds!" <a href="http://www.dymax.com/tech_support/curing_info.asp">http://www.dymax.com/tech_support/curing_info.asp</a> (retrieved from internet on 04/16/02) 3 pages total.		
	110	DYMAX®, MD® Medical Device Adhesive Product Data Sheet "1187-M Series Moisture Resistant Medical Adhesives" DYMAX® Corporation, 51 Greenwoods Road, Torrington, CT 06790. 1 page total.		
	111	ELSASSER, "Some observations on the history and uses of the Kesling positioner" <i>Am. J. Orthod.</i> (1950) 36:368-374.		
	112	KAMADA et al., "Case reports on tooth positioners using LTV vinyl silicone rubber" <i>J. Nihon University School of Dentistry</i> (1984) 26(1):11-29.		
	113	KAMADA et al., "Construction of tooth positioners with LTV vinyl silicone rubber and some case reports" <i>J. Nihon University School of Dentistry</i> (1982) 24(1):1-27.		
	114	KESLING, "Coordinating the predetermined pattern and tooth positioner with conventional treatment" <i>Am. J. Orthod. Oral. Surg.</i> (1946) 32:285-293.		
	115	KESLING, "The philosophy of the tooth positioning appliance" <i>Am. J. Orthod. Oral. Surg.</i> (1945) 31(6):297-304.		

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<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	116	KLEEMAN et al., "The speed positioner" <i>J. Clin. Orthod.</i> (1996) 30:673-680.	
	117	KUNII et al., "Articulation Simulation for an Intelligent Dental Care System" <i>Displays</i> (1994) 15:181-188.	
	118	KURODA et al., "Three-dimensional dental cast analyzing system using laser scanning" <i>Am. J. Orthod. Dentofac. Orthop.</i> (1996) 110:365-369.	
	119	LOCTITE™ Light Cure Technology "The Broadest Spectrum Available" <a href="http://www.loctite/lightcure/">http://www.loctite/lightcure/</a> (retrieved from internet on 04/16/02).4 pages total.	
	120	LOCTITE™ Light Cure Technology, Rocky Hill, CT 06067, Product Brochure, page 1-22.	
	121	NAHOUM et al., "The vacuum formed dental contour appliance" <i>The New York State Dental Journal</i> (1964) 30(9):385-390.	
	122	<i>Nippon Dental Review</i> "New orthodontic device-dynamic positioner (D.P.)-I. Approach to the proposal of D.P. and transparent silicone rubber" (1980) 452:61-74.	
	123	<i>Nippon Dental Review</i> "New orthodontic device-dynamic positioner (D.P.)-II. Practical application and construction of D.P." (1980) 454:197-130.	
	124	<i>Nippon Dental Review</i> "New orthodontic device-dynamic positioner (D.P.)-III. Case reports of reversed occlusion" (1980) 457:146-164.	
	125	<i>Nippon Dental Review</i> "New orthodontic device-dynamic positioner (D.P.)-Case reports of reversed occlusion" (1980) 458:112-129.	
	126	NISHIYAMA et al., "A new construction of tooth repositioner by LTV vinyl silicone rubber" <i>J. Nihon University School of Dentistry</i> (1977) 19(2):93-102.	
	127	Cardinal Industrial Finishes, Powder Coatings information posted at <a href="http://www.cardinalpaint.com">http://www.cardinalpaint.com</a> on 8/25/00, 2 pages total.	
	128	PROFFIT et al., "Contemporary Orthodontics" Second Edition, Chapter 15, pp. 470-533.	
	129	Raintree Essix™ & ARS Materials, Inc., Raintree Essix™ Technical Magazine Table of Contents and Essix™ Applications, <a href="http://www.essix.com/magazine/default.html">http://www.essix.com/magazine/default.html</a> (Aug. 13, 1997) 7 pages total.	
	130	RICHMOND et al., "The development of the PAR Index (Peer Assessment Rating): reliability and validity" <i>European Journal of Orthodontics</i> (1992) 14:125-139.	
	131	SCHROEDER et al., Eds. <i>The Visual Toolkit</i> , Prentice Hall PTR, New Jersey (1998) Chapters 6, 7, and 9 (pages 153-210, 309-354, and 355-428, respectively).	

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	132	SHILLIDAY, "Minimizing finishing problems with the mini-positioner" <i>Am. J. Orthod.</i> (1971) 59:596-599.	
	133	WARUNEK et al., "Clinical use of silicone elastomer appliances" <i>JCO</i> (1989) XXIII(10):694-700.	
	134	WARUNEK et al., "Physical and mechanical properties of elastomers in orthodontic positioners" <i>Am. J. Orthod. Dentofac. Orthop.</i> (1989) 95:388-400.	
	135	WELLS, "Application of the positioner appliance in orthodontic treatment" <i>Am. J. Orthodont.</i> (1970) 58:351-366.	

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